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**U.S. District Court [LIVE]
Eastern District of TEXAS (Beaumont)
CIVIL DOCKET FOR CASE #: 1:09-cv-00218-MAC-KFG**

Dial v. Partnership for Response and Recover et al

Assigned to: Judge Marcia A. Crone

Referred to: Magistrate Judge Keith F. Giblin

Case in other court: 163rd Judicial District Court, Orange Cnty,
TX, B090064-C

Date Filed: 02/27/2009

Date Terminated: 03/16/2010

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: Federal Question

Cause: 05:702 Administrative Procedure Act

Plaintiff

Charlie James Dial

represented by **Shimon Kaplan**

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V.

Defendant**Partnership for Response and Recover**represented by **T Michael Wall**

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Defendant**Dewberry & Davis LLC**represented by **T Michael Wall**

(See above for address)
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Defendant**URS Corporation**represented by **T Michael Wall**

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LEAD ATTORNEY
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Date Filed	#	Docket Text
02/27/2009	<u>1</u>	NOTICE OF REMOVAL by all defendants from 163rd JDC of Orange County, Texas, case number B090064-c. (Filing fee \$ 350 receipt number 05400000000001897493), filed by all defendants. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Index, # <u>3</u> Exhibit 3, State court petition, # <u>4</u> Exhibit 4, Service of Process, # <u>5</u> Exhibit 5, List of Counsel, # <u>6</u> Exhibit 6, Certification re: jury demand, # <u>7</u> Exhibit 7, State court information, # <u>8</u> Exhibit 8, State court notice of removal)(Wall, T) (Entered: 02/27/2009)
02/27/2009		Case Assigned to Judge Marcia A. Crone. (aam,) (Entered: 02/27/2009)
02/27/2009	<u>2</u>	Magistrate Consent Form sent electronically to all counsel of record (aam,) (Entered: 02/27/2009)

03/02/2009		ORDER REFERRING CASE to Magistrate Judge Keith F. Giblin pursuant to 28 USC 636(a) and Appendix B of the Local Rules for the Eastern District of Texas (bsw,) (Entered: 03/02/2009)
03/03/2009	3	MOTION to Remand by Charlie James Dial. (Attachments: # 1 Brief In Support, # 2 Text of Proposed Order)(Kaplan, Shimon) (Entered: 03/03/2009)
03/16/2009	4	RESPONSE in Opposition re 3 MOTION to Remand <i>filed by Partnership for Response and Recover, Dewberry & Davis LLC, URS Corporation.</i> (Wall, T) # 1 Text of Proposed Order) (mrp,). Modified on 3/18/2009 (mrp,). (Entered: 03/16/2009)
03/16/2009	5	MOTION to Dismiss for Lack of Jurisdiction by Partnership for Response and Recover, Dewberry & Davis LLC, URS Corporation. (Wall, T) # 1 Text of Proposed Order) (mrp,). Modified on 3/18/2009 (mrp,). (Entered: 03/16/2009)
03/23/2009	6	REPLY to Response to Motion re 3 MOTION to Remand, 5 MOTION to Dismiss for Lack of Jurisdiction <i>filed by Charlie James Dial.</i> (Kaplan, Shimon) (Entered: 03/23/2009)
05/20/2009	7	Letter from Magistrate Judge Earl S. Hines informing counsel of an informal planning session to be held on 6/10/09 at 10:00 a.m. in Courtroom 1.Signed by Judge Earl S. Hines. (mrp,) (Entered: 05/20/2009)
06/03/2009	8	ADVISORY. This case is assigned for trial to Judge Marcia A. Crone, but is referred to the undersigned magistrate judge for pretrial proceedings. Judge Crone's procedures and rules of practice govern this action unless the parties cause it to be reassigned by consent to the undersigned. Signed by Magistrate Judge Keith F. Giblin on 6/3/09. (mrp,) (Entered: 06/03/2009)
06/03/2009	9	ORDER to Conduct Rule 26(f) Conference with a proposed Scheduling Order. Signed by Magistrate Judge Keith F. Giblin on 6/3/09. (mrp,) (Entered: 06/03/2009)
07/31/2009	10	STATUS REPORT by Partnership for Response and Recover, Dewberry & Davis LLC, URS Corporation. (Trahan, Samantha) (Entered: 07/31/2009)
02/23/2010	11	REPORT AND RECOMMENDATION OF U. S. MAGISTRATE JUDGE re 3 MOTION to Remand filed by Charlie James Dial. It is recommended that Plaintiffs' Motion to Remand should be granted and this case should be remanded to 163rd Judicial District Court, Orange County, Texas. Signed by Magistrate Judge Keith F. Giblin on 2/23/10. (mrp,) (Entered: 02/23/2010)
03/05/2010	12	OBJECTION to 11 Report and Recommendations <i>to Remand</i> by Partnership for Response and Recover, Dewberry & Davis LLC, URS Corporation. (Attachments: # 1 Exhibit A)(Trahan, Samantha) (Entered: 03/05/2010)

03/16/2010	<u>1</u> <u>3</u>	ORDER adopting <u>11</u> Report and Recommendation. Ordered that Dial's <u>3</u> motion to remand is granted. Ordered that this case is remanded to the 163rd Judicial District Court of Orange County, Texas, from which it was removed. All pending motions not addressed herein are denied as moot, without prejudice. Signed by Judge Marcia A. Crone on 3/16/2010. (bjc,) (Entered: 03/17/2010)
04/26/2010		Sent certified copies of Order of Transfer, docket sheet, and Letter of Transfer to 163rd District Court Orange County, Texas. (mrp,) (Entered: 04/26/2010)
04/30/2010	<u>1</u> <u>4</u>	ACKNOWLEDGMENT OF RECEIPT from 163rd Judicial District Court Orange County Tx on 4/28/10 of remand of this case back to their court. (mrp,) (Entered: 04/30/2010)
05/05/2010	<u>1</u> <u>5</u>	ACKNOWLEDGMENT OF RECEIPT by 163rd Judicial District Court Orange County Tx of remand of this back to their court on 4/28/10.. (mrp,) (Entered: 05/06/2010)

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